



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/726,863

12/02/2003

Li-Han Chen

1711008

5611

7590

03/28/2005

Keith Kline
PRO-TECHTOR INTERNATIONAL SERVICES
20775 Norada Court
Saratoga, CA 95070-3018

EXAMINER

HAN, JASON

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/726,863	Applicant(s) CHEN, LI-HAN	
	Examiner Jason M. Han	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to because the specification refers to a lateral side 21B [Page 3, Line 2], which is referred to as 22B. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2875

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Wilkinson (U.S. Patent 5943801).

Wilkinson discloses an illuminated photo frame including:

- A frame body [Figure 7: (704, 706)] having a front side provided with a flange on each of four edges thereof, whereby a central depression is formed, and wherein said frame body has a rear side provided with a foldable supporting leg [Figure 7: (715)];
- A light emitting device [Figure 7: (714)] disposed in the central depression of the frame body;
- An ornamental frame [Figure 7: (705)] having a rectangular central opening and a frame face provided with a selected pattern;
- A loop cover [Figure 7: (701)] having a plurality of fixing tongues [Figure 7: (708)] on a rear side thereof; and
- A photo [Figure 7: (703)] being disposed between the light emitting device and the loop cover, whereby the fixing tongues are inserted into and locked with the flanges around the front side of the frame body [Figure 7: (709)] so as to connect the frame body, the ornamental frame, the light emitting device, the photo, and the loop cover together.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2875

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilkinson (U.S. Patent 5943801) as applied to Claim 1 above, and further in view of Sung (U.S. Publication 2004/0125589).

4. With regards to Claim 2, Wilkinson discloses the claimed invention as cited above. In addition, Wilkinson teaches the light emitting device including a fluorescent tube [Figure 7: (714); Column 20, Lines 34-36], but does not specifically teach a light emitting device including a light reflection board and a fluorescent tube disposed on a lateral side thereof, wherein the light reflection board is a transparent panel with a plurality of light reflecting dots uniformly distributed.

Sung teaches a backlight unit [Figure 1: (30)] including a light reflection board [Figure 1: (6, 7)] and a light source [Figure 1: (5)] disposed on a lateral side thereof, wherein the light reflection board is a transparent panel with a plurality of light reflecting dots uniformly distributed [Figure 2: (70)].

It would have been obvious to one ordinarily skilled in the art at the time the invention was made to modify the illuminated photo frame of Wilkinson to incorporate the backlight unit of Sung in order to efficiently and uniformly illuminate the display.

5. With regards to Claim 3, Wilkinson in view of Sung discloses the claimed invention as cited above. In addition, Sung teaches a light emitting device including a light scattering film [Figure 1: (8, 9)] covering a front side of the light reflection board

Art Unit: 2875

[Figure 1: (6, 7)], whereby the light scattering film is a film with a roughened surface

[Figure 1: (9) – prism plate].

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art pertinent to the current application, but are not considered exhaustive:

US Patent 3318032 to Robinson et al;

US Patent 4819353 to Glucksman et al;

US Patent 4942685 to Lin;

US Patent 5251391 to Lan;

US Patent 5265357 to Yu;

US Patent 5390436 to Ashall;

US Patent 5657563 to Lane;

US Patent 5676444 to Liao;

US Patent 5915855 to Murase et al.

US Patent 6742907 to Funamoto et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Han whose telephone number is (571) 272-2207. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2875

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMH (3/10/2005)

A handwritten signature in black ink, appearing to read 'JAW', is positioned above the printed name and title.

**JOHN ANTHONY WARD
PRIMARY EXAMINER**